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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/005,340	12/07/2001	Takahiko Tomono	GNE464A	9470
21254	7590	05/09/2005	EXAMINER	
MCGINN & GIBB, PLLC 8321 OLD COURTHOUSE ROAD SUITE 200 VIENNA, VA 22182-3817			SHARMA, SUJATHA R	
			ART UNIT	PAPER NUMBER
			2684	

DATE MAILED: 05/09/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/005,340

Applicant(s)

TOMONO, TAKAHIKO

Examiner

Sujatha Sharma

Art Unit

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– The MAILING DATE of this communication appears on the cover sheet with the correspondence address –
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 December 2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 3/7/02.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

1. Claims 1-4,7,8,11-14,17-20 are rejected under 35 U.S.C. 102(e) as being anticipated by Maruyama [JP 2000287274].

Regarding claims 1,11,19,20 Maruyama discloses a process for turning of portable telephone devices in prohibited areas. Maruyama further discloses a portable radiotelephone comprising:

- a radio section for receiving an input radio signal and/or transmitting an output radio signal. See paragraph 18 and 15 in Fig. 2
- a power supply controller for controlling supply of electric power to the radio section responsive to reception of a power-off signal; See 12 in Fig.2 ; the power-off signal being transmitted from a power-off signal transmitter provided in a prohibited area where use of a portable radio telephone is prohibited: See 12 in Fig.2 and paragraphs 7, 18

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- a power-off signal sensor for sensing reception of the power-off signal to notify the power supply controller of reception of the power-off signal; See 12 in Fig.2 and paragraphs 7, 18
- wherein when the power-off signal sensor senses reception of the power-off signal, the power supply controller stops supply of electric power to the radio section while keeping additional built-in functions other than communication function operable; see paragraph 17,20,21
- wherein when the power-off signal sensor does not sense reception of the power-off signal, the power supply controller continues supply of electric power to the-radio section. See paragraphs 7,17,22

Regarding claims 2,12 Maruyama further discloses a method wherein:

- the connection controller sends a stop signal to a relating base station to the telephone to stop a connection operation of the base station to the telephone when the power supply controller stops, the supply of electric power to the radio section; See paragraphs 7-10, 25, 27
- the connection controller sends a stop release signal to the relating base station to the telephone to restart the connection operation of the base station to the telephone when the power supply controller restarts the supply of electric power to the radio section. See paragraphs 7-10, 25, 27

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Regarding claims 3,4,13,14 Maruyama discloses a method wherein the power-off signal sensor senses the reception of the power-off signal independent whether the radio section operates or not. See paragraph 17.

Regarding claims 7,17 Maruyama further discloses a method wherein the power-off release signal is transmitted from a power-off release signal transmitter in such a way that the power-off release signal sensor senses the power-off release signal when the telephone is carried out of the prohibited area. See paragraphs 15-17.

Regarding claims 8,18, Maruyama further discloses a method, wherein when the power-off signal is received, a fact that communication function is inoperable is displayed on a screen of a display section. See paragraphs 18,21.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 5,6,15,16,21-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Maruyama [JP 2000287274] in view of LaGrotta [US 6,477,361].

Regarding claims 5,6,15,16 Maruyama discloses all the limitations as claimed.

However he does not disclose a method of storing a power-off code in the non-volatile memory and if the code is present then the power supply controller keeps the power supply to the radio section stopped and if the code is not present, then the power supply controller restarts the power supply to the radio section.

LaGrotta teaches a method of storing a power-off code in the non-volatile memory and if the code is present then the power supply controller keeps the power supply to the radio section stopped and if the code is not present, then the power supply controller restarts the power supply to the radio section. See col. 4, lines 4-60, col. 5, lines 8-21

Therefore it would have been obvious to one with ordinary skill in the art at the time the invention was made to provide the above teaching of LaGrotta to Maruyama in order for the phone to stop and resume normal operating conditions automatically when the user has moved out of the prohibited areas.

Regarding claims 21-23 LaGrotta further discloses a method wherein the functions other than communications comprise at least one of a clock function, a telephone directory function, and a scheduler function. See col. 4, lines 4-30.

4. Claims 9,10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Maruyama [JP 2000287274] in view of Orimo[JP 4073031341].

Regarding claims 9 and 10 Maruyama discloses all the limitations as claimed.

However he does not disclose a method wherein the power supply to the radio section can be manually stopped or started by a specific key operation made by the user.

Orimo, in the same filed of endeavor, teaches a method wherein the radio section can be manually disabled/enabled by a specific key operation made by the user. See page 2, paragraphs 12-18.

Therefore it would have been obvious to one with ordinary skill in the art at the time the invention was made to provide the above teaching of Orimo to Maruyama in order for the phone to stop and resume normal operating conditions as needed by the user.

Response to Arguments

1. Applicant's arguments with respect to claims 1-23 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

2. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Oyaski [US 6,771,946]	Method of preventing cell phone use while vehicle is in motion
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Mori [US 6,128,485]	Movable communication system
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Da Silva [US 6,496,703]	System for disabling wireless communication devices
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Smith [US 6,721,572]	Mobile communication optimization near wireless dead zone regions
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Ariga [US 6,625,455] Portable telephone system and communication control method for portable telephone set in a restricted zone

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sujatha Sharma whose telephone number is 571-272-7886. The examiner can normally be reached on Mon-Fri 7.30am - 4.00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nay Maung can be reached on 571-272-7882. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Sujatha Sharma
April 29, 2005


NAY MAUNG
SUPERVISORY PATENT EXAMINER